

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTERDIGITAL COMMUNICATIONS,)	
INC.; INTERDIGITAL TECHNOLOGY)	
CORPORATION; IPR LICENSING, INC.;)	
and INTERDIGITAL HOLDINGS, INC.,)	
)	
Plaintiffs/Counterclaim-)	
Defendants,)	
)	C.A. No. 13-010 (RGA)
v.)	
)	
NOKIA CORPORATION and NOKIA INC.,)	
)	
Defendants/Counterclaim-)	
Plaintiffs.)	

**MICROSOFT MOBILE OY'S CROSS-MOTION TO SUBSTITUTE PARTIES UNDER
FED. R. CIV. P. 25 OR ALTERNATIVELY TO DISMISS NOKIA CORP. AS A
NAMED PARTY ON COUNTERCLAIMS**

Microsoft Mobile Oy ("MMO") hereby cross-moves to substitute MMO for Nokia Corporation in this action pursuant to Federal Rule of Civil Procedure 25(c), or alternatively to dismiss Nokia Corporation as a counterclaim plaintiff.

On April 25, 2014, Nokia Corporation sold its mobile telephone business to MMO, and Nokia Corporation's previously wholly-owned subsidiary (and named co-defendant and co-counterclaim plaintiff) Nokia Inc. became a subsidiary of MMO. On that basis, Plaintiffs have moved to add MMO as a named party here. MMO does not oppose that result, but because MMO's products are now the only products at issue in this action, and because MMO has assumed any conceivable Nokia Corporation liabilities arising out of, and counterclaims asserted in, this action, MMO should be substituted for Nokia Corporation on all pending claims. Accordingly, as set forth more fully in the accompanying brief, MMO respectfully cross-moves to substitute MMO for Nokia Corporation pursuant to Federal Rule of Civil Procedure 25(c). Alternatively, even if the Court does not fully substitute MMO for Nokia Corporation, Nokia

Corporation should be dismissed as a named counterclaim plaintiff because Nokia Corporation has transferred all of its interests in the pending counterclaims to MMO. As such, Federal Rule of Civil Procedure 17 requires that those counterclaims be prosecuted in the name of the real party in interest, MMO.

Pursuant to L.R. 7.1.1, MMO and Nokia Inc. certify that they have made reasonable efforts to reach agreement with InterDigital prior to filing this cross-motion. In particular, MMO and Nokia Inc., along with Nokia Corporation, conferred with InterDigital between April 24, 2014 and June 3, 2014, and again on July 1, 2014 regarding the bases for this motion to substitute parties in this litigation and the related proceedings in the International Trade Commission. Although MMO agreed to be added as a named party, Plaintiffs would not agree to the requested substitution. MMO and Nokia Inc. understand that Nokia Corporation will join in this opposition and counter-motion.

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July 22, 2014
8405172.1

CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2014, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on July 22, 2014, upon the following in the manner indicated:

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